

### O'Daniel Plays Tricks With Public Opinion

Gov. W. Lee O'Daniel, of Texas, explains his delay of the execution of a condemned Negro as a deliberate effort to arouse public opinion to the horror of taking a human life. He had previously said that the 30-day reprieve was granted as a means of increasing the punishment of the condemned man.

There was a wave of criticism of the Texas governor following his brutal explanation of his motives in granting the reprieve.

According to his latest version, the original statement was merely a trick to dramatize his stand against capital punishment in any form.

Coming from an official who had not previously impressed the public with his eccentricities, this later explanation would have been readily accepted. However, O'Daniel's peculiarities had already mystified the public.

The fact that his original statement was taken seriously should have the effect of sobering O'Daniel. He is not in a position to play tricks with public opinion.

Rather than focusing attention on the issue of capital punishment, the incident has focused attention on O'Daniel and added to the list of his peculiarities. However sincere his motives—and it must be said in justice to him that he had been on record in opposition to capital punishment before the incident—he has found that his methods are ill-advised.



## Double Standard In Courts of Justice

WITH no desire to criticise our courts we wish to make a few observations prompted by recent developments in criminal trials in Norfolk. Our impression is that there has been considerable improvement in the quality of judgments formed by juries in dealing with cases involving the disposition of criminal actions against Negroes by Negroes. Our impression is that our judges are more alert now than ever to see that the scales of justice are evenly balanced, insofar as their judicial guidance of jury action is concerned. But there is still a definite double standard in the administration of the laws. To be more specific, there is still the determination to mete out to Negroes the extreme limit of punishment allowed by law for certain crimes committed against white people, while exercising obvious leniency—and at times laxity—in punishing Negroes for the same category of crimes committed against members of their race. It is observed, also, that almost invariably, a Negro is given the death penalty for the crime of rape, or attempted rape, when the victim is white. There are exceptions, of course. But we do not recall in our 32 years of newspaper experience in Norfolk an instance where a Negro was given the death penalty for the crime of rape upon a Negro woman. Neither do we recall a case in which a white man has been given the death penalty for the crime of rape upon a white woman, nor do we recall a case in which a white man has been convicted of rape upon a colored woman. Three recent cases in Norfolk courts will throw much light upon

## VIRGINIA

this subject. John McCan was convicted on a charge of attempted rape of a white child. He received the death penalty. Walter Hanberry, white, was convicted on a similar charge. He was sentenced to eight years in the penitentiary. Here are cases in which two men, one black and the other white, committed identical crimes. One goes to his death. The other receives a comparatively light prison sentence.

Now let us throw the light upon a case in which both the rapist and the victims were Negroes. John Johnson was convicted on three charges, against three women, namely: rape of two and robbery of one by force. He was tried and sentenced to life imprisonment on each charge.

Of course, lawyers and judges and juries will say that each violation of law has its singular and peculiar aspects, and that each case must be tried on the evidence and must stand on its own legs. We do not argue this. We submit the facts and leave the lawyers, judges and juries to their own consciences, and the public to judge the consequences of their judgments.



# FOUR-YEAR-OLD CHILD IS PARALYZED BY ACCIDENT

## Dodd Admits Not Stopping Because He Wanted To Prevent Publicity

RICHMOND, Va.—Announcement

was made by Attorney George E. Haw, counsel for Mr. and Mrs. Jas. Glois Grimes, four-year-old negro Grimes, the parents of Gloria Grimes, girl.

four-year-old Negro girl, who was seriously injured on December 5th, by an automobile driven by former Ambassador William E. Dodd, that the former U. S. official will be made a defendant in a heavy suit for damages as a "hit and run driver."

Haw announced that he was filing a suit in the Circuit Court of the United States against Dodd but did not reveal the amount although it will probably be for \$50,000.

The case aroused considerable feeling in St. Philip's Hospital. For several days after the accident she was unconscious. Her speech was affected, she sustained abrasions and laceration of the body and her left leg is paralyzed. She is able to move her left arm only slightly but, according to Dr. C. C. Coleman, who has been treating her, her general condition is "satisfactory."

The case aroused considerable feeling in Hanover County because Dodd continued on his way immediately after the accident. He was taken into custody the following day at Round Hill in northern Virginia by State Trooper E. P. Landers on a hit and run driving charge.

Dodd said he was traveling through Hanover Court House at 45 to 50 miles an hour when the child ran in front of his car. He said he applied the brakes and cut to the right of the road in an attempt to miss the girl. His car skidded, he said, and he told police he could not tell whether the child was struck by his car or by a car, driven by Mrs. Winston Woolfolk of Caroline County, which was following him.

Dodd declared that the little girl did not appear to be seriously injured and because he had an important engagement in Petersburg he continued on his way. He said he did not give his name to anyone because he wanted to avoid newspaper publicity. Subsequently he sent the parents of the child a check for \$25 which they returned to him.

## In Hit-Run Case

HANOVER, VA., Jan. 16—(AP)—A Hanover County Grand jury, deliberating less than an hour, indicted former U. S. Ambassador to Germany William E. Dodd today for the hit-and-run automobile injury Dec. 5 of 1938.

Circuit Judge Frederick W. Coleman then set March 2 as the date of trial for the 69-year-old diplomat in spite of a plea from defense attorney, Leon M. Bazile for further continuance because of the "wretched health" of his client.

Dr. Dodd, distraught and nervous, entered a plea of innocent when he was arraigned formally and the indictment read him by the clerk. His bail of \$2,000, set when he waived preliminary hearing last week, was continued and he was released.

Visibly disturbed, Dr. Dodd sought repeatedly to elaborate on his plea and it was with difficulty that Bazile prevailed upon him to utter only the two words, "not guilty."

Bazile said he had hoped the court would delay the trial until the next term because of Dr. Dodd's health and because the injured child would not be able to appear in court early in March.

Commonwealth's Attorney Edward P. Simpkins, Jr., argued however, that Dr. Dodd had appeared in Hanover County courts three times within the past six weeks in connection with the case and no medical evidence had been introduced to show that the defendant was physically unable to stand trial.

In his brief instructions, Judge Coleman counselled the jurors that "the law is not a respecter of persons, and like the rain it falls on the just and unjust."

## DR. DODD IS INDICTED AS HIT-RUN DRIVER

### Ex-Envoy to Be Tried March 2

#### for Injury to Girl, 4

HANOVER COURTHOUSE, Va., Jan. 16 (AP).—Dr. William E. Dodd, former Ambassador to Germany, was indicted by a Hanover County grand jury today on a charge of hit-and-run driving and causing injury to Glois Grimes, 4-year-old

Negro child. His trial was set for March 2.

Leon M. Bazile, Dr. Dodd's attorney, pleaded that his client, who is 69, was in very poor physical condition and had been suffering from a severe attack of laryngitis and was in no condition to stand trial in the near future.

But the Commonwealth's attorney argued that Dr. Dodd had appeared in court three times within six weeks in connection with the case and there was no medical testimony brought forward to show that he was not able to stand trial.

The indictment, one of five returned by the grand jury in little more than an hour's deliberation, stated that Dr. Dodd did "unlawfully and feloniously fail to render assistance to Glois Grimes" after his automobile had struck her.

At a question from the Court, Mr. Bazile and George E. Haw, attorney for the Grimes family in projected civil proceedings, said that the child had a brain injury and was paralyzed on one side and it was not known definitely when she would recover, if ever.

Visibly nervous, Dr. Dodd entered a plea of innocence when the indictment was read at his formal arraignment. He attempted to explain his plea, but at the repeated insistence of his attorney Dr. Dodd took his seat after the plea.

## Ambassador

## Dodd Indicted

## In Hanover

### Law Not Respector

### of Persons, Judge Tells Grand Jury

HANOVER, Va.—"The law is not a respecter of persons, and like the rain it falls on the just and the unjust."

Such were the words of Circuit Judge Frederick W. Coleman in instructing the Hanover County grand jury which heard, on Monday the case against former Ambassador to Germany William E. Dodd, charged with the hit-and-run injury of little Gloria Grimes.

Less than an hour later,

the grand jury returned a true bill and ex-Ambassador Dodd stood indicted because he did "unlawfully and feloniously fail to render assistance to Gloria Grimes" after his automobile had struck her.

Judge Coleman set the date of the trial as March 2.

## PLEADS NOT GUILTY

Visibly nervous, the 69 year old statesman was arraigned shortly after the grand jury returned and the indictment read to him. He entered a plea of "not guilty" and sought to elaborate on his plea. However, his counsel advised that he say nothing more and he finally sat down. Sixteen witnesses were summoned by the state.

The Grimes girl, aged 4, was struck by a car, allegedly driven by Mr. Dodd, on December 5. For nearly a month she lay unconscious in a Richmond hospital. She is thought to be permanently injured. The car which struck her failed to stop and she was left on the highway near death as a result of serious injuries.

Defense counsel Leon M. Balize sought vainly to have the date of trial changed until some time later, claiming that his client, the ambassador, was in ill health and that the girl would not be able to testify in court in early March.

However, Commonwealth's Attorney Edward P. Simpkins, Jr. argued that Dr. Dodd had appeared in Hanover County courts three times in the past six weeks in connection with the case and no medical evidence had been introduced to show that the defendant was physically unable to stand trial.

## BRAIN INJURED

At a question from the court, Mr. Bazile and George E. Haw, attorney for the Grimes family in civil proceedings, said the child had a brain injury, and was paralyzed on one side and it was not known definitely when she would recover, if ever.

With instructions from the judge, the grand jury retired to hear witnesses account of the accident on December 5 when the Grimes girl was struck and injured on No. 2 Highway near Hanover Courthouse.

## CHARGE TO JURY

"Before you gentlemen can return an indictment under this statute," Judge Coleman charged the jurors, "you must believe that there is probable cause from the evidence before you that there has

been a violation of the statute by the person charged. Probable cause is such a statement of facts and circumstances as to cause you to believe that the person is guilty of the crime of which he is suspected. If the evidence before you does not show probable cause, you should not indict."

However, Judge Coleman added that in view of the innumerable accidents happening on the public highways, "it is imperative that drivers of automobiles strictly observe the law."

He then added "in this country every citizen has the right to participate in the making of the law, but no citizen has the right to violate the law."

# WORLD This Week

Dr. William E. Dodd, prominent anti-Nazi and former ambassador to Germany, pleads guilty of striking a 4-year-old Negro girl with his car and then running away in cowardly fear. He is fined \$250 by the judge at Hanover Courthouse, Va., and pays \$1,100 doctor and hospital bills. Negro life is still cheap in America.



# N HIT-AND-RUN CASE

*Journal and Guide*  
**B-U-L-L-E-T-I-N**  
HANOVER COURT HOUSE, Va., Jan. 19—William E. Dodd, former U. S. Ambassador to Germany, was indicted by a Grand Jury of five Virginia white farmers Monday on a charge of running down five-year-old Lois Grimes with his automobile and then fleeing the scene of the accident.

If found guilty, the ex-envoy would be liable to maximum penalties of five years in prison or a \$5,000 fine, or both. Dodd pleaded not guilty to the indictment. Trial before the Circuit Court of Hanover County was set for March 2.

LEESBURG, Va., Jan. 19—A \$25,000 suit has been brought in Hanover Circuit Court here against William E. Dodd, former U. S. Ambassador to Germany, by James Grimes.

The suit alleges Dodd was the hit-and-run driver who last month struck down on a public street and seriously injured Grimes' 5-year-old daughter, Lois Grimes. Trial of the damage suit has been set to begin on January 27.

Sheriff E. S. Adrian of Loudoun County said last week that he had posted the notice of judgment on the door of the Dodd home because there was no one at home.

Originally charged with unlawfully leaving the scene of an accident, following injury to the child, Dodd waived preliminary hearing and his bond was set at \$2,000, which he furnished. He has repeatedly sought and secured postponement of the trial.

Dodd sent the girl's mother a check for \$25, which was returned.

## Dodd Pleads Ill Health, Waives Examination

### Reporter Barred From Child's Room In Hospital

(Special to Journal and Guide)  
HANOVER COURT HOUSE, Va.—Dr. William E. Dodd, former U. S. Ambassador to Germany, waived preliminary hearing on charges of hit-and-run driving, January 9, and is scheduled to appear before the Hanover County Grand Jury, January 16. At St. Phillips Hospital in Richmond on

Monday, a Journal and Guide reporter was not allowed to see Gloria Grimes, 4-year-old struck by Dr. Dodd's car on December 5, last. The youthful victim, however, was reported to be conscious and improving.

Leon Brazile, attorney for Dr. Dodd, said that the former envoy's physician had informed him that the state of Dr. Dodd's health "is such that he could not stand the strain of a trial at this time."

The former envoy is charged with failing to stop to render assistance after striking and injuring the child on a highway near here. The child remained unconscious for almost a month, and during that time a Journal and Guide reporter was allowed to visit her. When he called at the hospital January 9, to see her, he was not allowed to see her, but he was told that her condition had improved.

Dr. Dodd sent a check for \$25 to the injured girl's mother, which she returned through her attorney. The former ambassador appeared before Hanover County Trial Justice Robert T. Winston, January 9, and was bonded in \$2,000 for his appearance next week before the Circuit Court grand jury.

Norfolk, Va., Jan. 21, 1939  
**SUGGESTIONS FOR curbing crime among Negroes; character-building agencies and Negro policemen.**

Editor, Virginian-Pilot:

A new article appeared in the Virginian-Pilot of the 17th with the caption, "Negro Association Seeks to Correct Crime Conditions."

Being cognizant of the fact that contributions to the crime wave and to the undermining of the character of Negro youth are the lack of proper lighting, the lack of Negro police, and the lack of character-building agencies, I would suggest, since there are a

few other such clubs as the Orioles, that all of them work in unison with such white clubs as the Rotary, Lions, Cosmopolitans, Kiwanians and other clubs, and work out ways and means by which boys' clubs could be established, and above all appoint colored policemen and policewomen to our force. The latter would add at least 65 per cent in curbing crime in Norfolk, as it has in other Southern cities. It was stated in a recent editorial in J. Edgar Hoover's Forword that the goal of every decent citizen should be to help combat crime and that the only way to establish this was by city wide citizens' wars.

W. FRANCIS TAYLOR, JR.  
Virginia Beach, Jan. 17, 1939.

## Illiterate White Painter Who Slew Athlete Gets 30 Years

Special to Journal and Guide  
LYNCHBURG, Va.—An illiterate 45-year-old white painter was given thirty years in the state penitentiary by a jury in Corporation Court here last week for the slaying of a former Negro high school athlete and the wounding of his companion.

Edward "Buck" Coles, who testified at the trial on Wednesday that he could neither read nor write, showed no emotion whatever when the jury returned with its verdict after deliberating only 33 minutes.

The defendant was given twenty years for the second degree murder of Longston Duke, former Dunbar High School basketball star, and ten years for the malicious wounding of Howard Gills. The defense gave no indication as to whether or not an appeal would be taken. The jury retired at eight o'clock after listening to the evidence for a whole day.

Commonwealth Attorney W. T. Spencer, Jr., pressed hard during the trial for a first degree murder conviction, and declared in his opening statement that the commonwealth expected to show that the slaying was premeditated. Throughout the trial he hit at the defense assertions that Coles was too drunk to be able mentally to premeditate the crime.

The courtroom was packed to capacity throughout the day mostly by local colored citizens who showed an unusual amount of interest in the proceedings.

The commonwealth attorney declared that Duke, who was 6 feet 4 inches tall, could have beaten the white man. Duke was attending to his own business when the white man approached him and inquired

if some one had said something about somebody being drunk, the testimony revealed. When the white attacker struck at Duke, the latter only pushed him away, whereupon Coles pulled out his gun and began shooting.

### DEFENSE DENOUNCED

Spencer also denounced the defense of drunkenness, asserting "the weakest, poorest, meanest, commonest, lowest-down excuse a man can give is 'I was drunk.'"

Witnesses testified that Coles and a friend named N. J. "Sacks" Cabiness, spent the day Sunday, January 15, drinking and gambling on the railway tracks near his home on Seminary Hill. Testimony as to how the shooting started, however, differed.

State witnesses testified that Coles passed the corner of Campbell Avenue and DeWitt Street soon after 5 o'clock, January 15 with a friend, and that Coles walked up to Duke and asked who had said something "about somebody being drunk." They said the white man came back a few seconds later and repeated the question and when Duke denied it a second time the white started to him. They said Duke pushed him away and Coles pulled his gun out and began firing.

Coles reported that as he and his friend went by the group on the corner said "look at the drunks!" He stopped and Duke demanded that he go on while he could and then struck at him.

Coles went home after the shooting and prepared for the outcome. When the officers arrived to arrest him, he met them at his front door with gun and rifle and threatened to shoot them.

## Hit and Run Driver Ill In New York

### Governor Price Intercedes For Convicted Man

RICHMOND, Va.—Former Ambassador to Germany William E. Dodd is a citizen of America again.

When he was convicted of the hit and run injury of a five year old colored girl, Gloria Grimes of Hanover Courthouse, Va., this spring, his citizenship privileges were taken from him.

In restoring them this week, Virginia's Governor James H. Price gave as his reason the fact that Dr. Dodd's present illness, from which he is said to be recovering in Mt. Sinai Hospital in New York City, sustained assertions at the trial that the ex-ambassador was not responsible at the time of the near fatal accident.

Dr. Dodd struck the Grimes child on the highway near her home and failed to stop. The badly injured child was near death on the highway for some time before she was picked up and carried to the hospital, almost too late to save her.

After months, during which she hovered near death in a Richmond hospital, she finally recovered though it was feared that she would be permanently injured and perhaps paralyzed for life.

The ex-ambassador continued on towards his home near Alexandria without stopping to render assistance to the mangled youngster. Another car driver happened to witness the accident and took his license number. He was traced to his home and arrested.

Months later he was brought to trial in Hanover Courthouse and convicted of hit and run driving. He was fined \$250 and costs and his citizenship taken away. Later he settled a \$25,000 damage suit brought by the child's parents by paying \$3,500. Dr. Dodd originally offered the parents \$25 as final settlement of the tragic case. This was refused and court proceedings instituted.



## Equal Justice Writer Gives Graphic Picture of Virginia Chain Gang

This is the story of 26 months and 10 days spent in the Virginia State Penitentiary. It was told by a Negro prisoner six days after his release. First came the State Penitentiary Building at Richmond for 3 months, "as good a jail as jails go and I am not very familiar with jails." Then a road building camp for the rest of the time. The camp population varied between 100 and 110 men, completely Jim Crow.

Work hours? "From the time they can see you 'till the time they can't." Generally 10 to 12 hours a day. Pay? 10 cents a day for every day spent at work. As soon as a convict arrives an iron buckle is welded on to his left leg. The buckle stays on for the duration of the sentence. And all convicts—50 at a time—are chained together—the long chain is passed through the leg buckle—wherever they are not out working. They sleep in wooden barracks, "just a big shed, with a 2 1/2 foot canvas strip all around the middle of it instead of windows. The canvas is raised to admit air and lowered to keep the rain out. There is no heat whatsoever."

### Sleep in Chains

The common chain is put through leg iron every night and the prisoners are forced to sleep with this weight on their legs tied to each other. The beds are double deckers, about one foot apart. No segregation of sick is provided for. Slop pails are placed indiscriminately at bedsides. Washing facilities? Buckets on a bench outside the barracks. In winter there have to break ice to get at the water. No soap is supplied. Every Saturday the men are permitted to take hot showers. The camp boasts four showers under which the prisoners, 15 or 16 at a time, are forced to stand and wash. For this occasion three bars of soap are sliced into wafers and supplied for 107 men.

Most of the prisoners are serving from one to 20 years. Their ages range from 16 to 65 and the charges from stealing a bag of peanuts to manslaughter. All guards are white men who get \$2 a day for 16 hours work. The prisoners' work consist of busting rock and road building—whether used or not. No stamps

are given to prisoners. under the gun all the time. You work rain or shine except when it is raining too hard to start out for the day. You eat your mid-day meal on the job out in the open even in zero weather. The meal always consists of beans and cabbage—occasionally a little fat meat.

All guards are of course permitted to shoot at prisoners, "if escaping." The Captain always tells the guards in the presence of the prisoners "they do what you tell them right or wrong."

Special punishment for "talking back, not working fast enough," etc., consists of being "put on the board" or "whipping over the barrel." The "board" is an iron bar passed through a vertical board. The prisoner is handcuffed to the bar with his hands at eye level, "between meals"—generally five hours or for an hour and a half evening after work. "Whipping over the barrel" means exactly what it says. The whipping is administered with a split strap. The legal limit permitted is up to 29 stripes. A doctor is generally present during the whipping. There is no doctor on the premises. Men stay out on the road sick, until brought in for the evening.

### Must Doctor on Selves

Every night the guards make rounds after the men are chained into their beds and ask if they want or need medicine. The convicts are their own doctors. They ask for quinine, CC pills, aspirin, iodine. Most of the times they get it.

The prison uniform consists of a brown cotton shirt, trousers, unities no change of trousers. In the summer months prisoners change once a week. Incoming convicts get clothes left by those freed whether diseased or not.

Newspapers, mail, etc. is delivered upon approval of guards. "I know of at least one case where a newspaper subscribed for in New York was delivered daily for six monthss and never given to prisoners." You are permitted to write only to relatives—and only one letter a week. One sheet of paper and one envelope are brought in to each prisoner after all are chained for the night. These writing materials must be returned whether used or not. No stamps

are given to prisoners.

### Five Cents Credit

At the end of each month prisoners are allowed in credit five cents for each day's work they performed. The maximum possible is therefore \$1.35 a month. With this they can purchase cigarettes, tobacco, soap, etc. Yes, they can shave. One or two old razors sent in to the men on Sunday "by the time it gets around to 107 men it is not much good."

The men must sleep in their underclothing whether wet or dry, etc. The men become contortionists learning how to remove their trousers which are removed after chained in for the night. You can either leave them hanging on the chain near the bed or place them under your mattress. If you were out working in the rain, your clothes become wet, and they have to be put on wet the next day.

There is no work on Sunday. The convicts must remain chained inside the barracks all day Sunday because they are always chained whenever they are not out on the road working.—EQUAL JUSTICE

## FBI Says Girl Mailed Death Note

10-14-39  
Baltimore  
Former Student Demands Davis Grant Degree

RICHMOND — A letter threatening the life of President John W. Davis of West Virginia State College if he failed to grant her a degree led to the arrest by Federal authorities last week of Miss Florence Beverly Howell, 31, former teacher at Lylburn High School in Lexington, Va.

According to J. E. Lawler, white, agent in charge of the FBI here, Miss Howell admitted sending the note to Davis at Institute, W.Va., in May.

In it she allegedly threatened to appear on the college campus and shoot the college president unless he agreed either to grant the degree or refund \$1000 expended during her period of attendance at the school from 1929 to 1931.

### Needed Degree to Keep Job

Miss Howell gave up her studies due to her mother's illness, according to reports, but returned later when advised that a college degree would be required if she were to retain her teaching position in Lexington.

A controversy arose over the number of credits toward graduation she would be allowed for her former work and the threatening letter is said to have been the outcome.

### Hearing Set for November 21

Facing a charge of violation of the Federal extortion statute, Miss Howell was held in the county jail at Lexington, Friday, under \$1000 bond, pending her appearance in the U.S. District Court at Charleston, W.Va., on November 21.

Her message to President Davis was quoted, in part, as follows: "Cough up a diploma or \$1000 or get shot . . . I still think the only way I'll ever get justice on your campus is with a gun. A bullet is the only thing that will penetrate your hearts and heads."

## Rice Loses

\$225 Suit

## In Hampton

ABC Arrest

Leads To

Legal Battle

10-14-39  
HAMPTON, Va.—In a hardly fought civil suit before Judge John Weymouth in Circuit Court here last Friday, James Rice lost out in his effort to recover \$225 from the Spratley-Rogers Motor Company.

the value of an automobile which he alleged had been illegally taken from him.

Eminent counsel participated in the proceeding. Rice was represented by Attorney Frank A. Kearney; the Universal Credit Company by Attorney E. Ralph James, and the motor company by Colonel E. Sclater Montague.

Rice was arrested by State ABC Investigator G. Cleveland Guy and Federal Agent Robert Holland when they raided the home of Fred Billups, on a tip that Rice would deliver whiskey to Billups. Waiting in hiding, they alleged that the Rice car pulled up to Billups' home where they found a five-gallon container of whiskey, apparently recently delivered since the same house had been raided the night before, and all whiskey found confiscated.

The officers testified that they found two empty containers in Rice's car but he denied delivering the contraband. Rice and Billups and the car were taken to the Hampton jail.

Attorney James, representing the credit company, received the car which he turned over to the Spratley-Rogers Company to be held for the credit company and under \$1000 bond, pending her appearance in the U.S. District Court at Charleston, W.Va., on November 21.

After hearing evidence by plaintiff and the defense, Judge Weymouth sustained a motion by defense attorneys to strike the evidence, and the case ended without going to the jury.

## White Juries, and Negro Criminals

From Norfolk Ledger-Dispatch  
IN ITS NOT infrequent comments on crime and punishment in Virginia, the Ledger-Dispatch has pointed out that one of the reasons for the prevalence of crimes of violence among our colored people is the habit of white juries of treating crimes of this sort by Negroes against Negroes as minor offenses, as being less heinous than similar crimes by Negroes against Whites or by Whites against Whites. That assertion has been disputed by several successful practitioners of criminal law in Norfolk, but we are supported in it by the Norfolk Journal and Guide, which is always on the alert—and ably on the alert—as to social causes and effects.

Comes now the Raleigh News and Observer to assert that it was in Tennessee the other day last Friday, James Rice lost out in when a jury of twelve men sitting in Chattanooga found a Negro



guilty of first degree murder in the slaying of another Negro. It was news, says the News and Observer, because this was the first time in more than twenty years that such a verdict had been returned in such circumstances. Judge Martin Fleming, of the City Court, deploring and condemning the high rate of homicides among colored people, had suggested that Negroes indicted for major crimes against other Negroes be tried by juries of their own people.

That suggestion probably will astound outsiders of the North and West who know nothing whatever of the colored people except what they have read in court decisions, in "Uncle Tom's Cabin," and in such works as Carl van Vechten's "Nigger Heaven." To reasonably informed Southerners, however, Judge Fleming's suggestion is filled with sense—whatever the legal possibilities may be—because they all know that, for example, Negro policemen, permanent or temporary, are extremely strict in their dealing with other Negroes.

Unquestionably it is true that an appreciation of the rights of Negroes, an appreciation that goes beyond the mere purpose to be kind and the instinct to be merciful to the underprivileged, should urge white juries to return verdicts that will have a tendency to protect all Negroes from the reckless, semi-savage or vicious of their own group. Negro juries would certainly do that. White juries should do no less.



## Protection of the Higher Courts

POOR and underprivileged people seldom get their causes up to the higher courts because of the expense involved, but when they do they may be sure that they have an even chance with the rich. That is one of the distinguishing characteristics of the appellate courts all over this land.

The North Carolina Supreme Court has just ordered a new trial in the case of a friendless as well as penniless man who was convicted of rape and sentenced to death upon evidence which his lawyers regarded as prejudicial. The lower court had permitted evidence to be presented to the jury that was calculated to sway the emotions in favor of the prosecutrix. Considering the character of the evidence, which would, under ordinary circumstances, have aroused race prejudice in a jury, the higher court ruled that, "it would take little under these circumstances to arouse in the jury sympathy for the prosecutrix and to excite therein prejudice against the accused."

Prosecuting attorneys eager to secure convictions often take this advantage of defendants, and unless the trial court sets the verdict aside the only recourse is to the supreme court, a road very seldom open to poor people.

Commenting upon a recent Virginia case in which the defendant was represented by court-appointed attorneys, who had to divide the legal fee of \$25, the Richmond Times-Dispatch suggests that the State should pay the expenses of appeals in such cases, so as to afford every citizen, no matter how humble or poor, an opportunity to have his cause passed upon by the supreme court, when in the judgment of the defense lawyer an appeal is in order. That is the only way to insure a fair trial under any and all circumstances to everyone. Certainly every man is entitled to that.

# EX-AMBASSADOR IS STILL FACING BIG DAMAGE SUIT

**Diplomat Fined \$250 and Has Driving Permit Revoked. Misses Going to Jail Because of Age.**

HANOVER COURTHOUSE, Va., March 9.—Dr. William E. Dodd, former United States Ambassador to Germany, was fined \$250 and costs in Hanover Circuit Court last Thursday on his plea of guilty to hit-run charges of striking Glois Grimes, 4-year-old girl, with his automobile near here on December 5. Mr. Dodd's driving permit was revoked.

When trial of the case was called, Leith Bremner, of counsel for Mr. Dodd, announced that the defendant desired to change his not guilty plea to guilty.

## MISSES JAIL SENTENCE BECAUSE OF HIS AGE

Judge Frederick W. Coleman in imposing sentence said he was not giving Mr. Dodd a jail sentence in view of the impaired condition of his health. Mr. Dodd is 69 years old.

The plea of guilty, the court pointed out, requires the revocation of his automobile driver's permit and deprives him of the right of suffrage.

The judge, reading a prepared statement, declared there was no law on the Virginia statute books which should be more rigidly enforced, but declared he was imposing only the fine because of the health of Dr. Dodd, his long record as a law-abiding citizen and the fact that he had spent approximately \$1,100 in hospital and doctor bills for Glois.

Dr. Dodd paid the fine but the costs of the case had not been tabulated and he was permitted to arrange to pay these later.

Possible penalties under the hit-run statute ranged from fines of \$25 to \$500, one to 12 months in jail, one year to five years in the State Penitentiary, or a combination of a jail or prison sentence and a fine.

After the change in plea was announced, Judge Coleman ordered

After hesitating a moment Dr. Dodd replied "Yes" to the question, "Do you plead guilty?"

Leon Bazile, another defense attorney, asked Dr. Dodd when he attempted to elaborate on his plea. When Mr. Bazile asked him to say no more Dr. Dodd said "Why not?" but resumed his seat.

Judge Coleman then discharged jurymen summoned for the case and proceeded to hear a statement from Commonwealth Attorney E. P. Simpkins as to the circumstance of the accident.

Mr. Simpkins told the court after Mr. Dodd changed his plea that the State could put on witnesses in support of its charge or he could summarize the evidence, whichever the court preferred. It was then agreed that he would summarize.

Mr. Simpkins said the change in plea was made without any recommendation from the Commonwealth.

## FACING \$25,000 SUIT FOR DAMAGES

R. Walton Moore, counselor of the State Department was seated in the courtroom beside Dr. Dodd. On the other side was the former Ambassador's daughter, Mrs. Martha Dodd Stern.

Mr. Dodd struck the girl while he was travelling on the Washington-Richmond Highway. He told police he did not stop because he believed he had missed her. She suffered a fractured skull and other injuries. Her parents filed a \$25,000 damage suit against Mr. Dodd which may be heard later this month.

# Ex-Ambassador Who Ran Down Child Gets Off For \$3,500

FREDERICKSBURG, Va., May 5.—A suit for \$25,000 against former Ambassador William E. Dodd in a hit-run driving case was dismissed on Saturday, because Judge Frederick W. Coleman claimed that Dodd had made a compromise payment of \$3,500 through his insurance company, in behalf of the injured child, a colored girl.

Having pleaded guilty to the charges against him of hit-run driving in Hanover Circuit Court in December, Dr. Dodd was fined \$250, and his driving license revoked. Meanwhile, he is said to have paid \$2,500 for hospital and medical expenses. The child recently returned to her home.

## Dodd Case Settled For \$3,500 Cash

**Had Been Fined  
\$250 and Had  
License Revoked**

Special to Journal and Guide  
FREDERICKSBURG, Va.

The State closed its case against Dr. William E. Dodd, former Ambassador to Germany here last Saturday.

Judge Frederick W. Coleman dismissed the \$25,000 damage suit pending against Dr. Dodd, brought in behalf of little four-year-old Gloria Grimes, injured by Dr. Dodd's automobile December 5, 1938, following the payment of \$3,500 by an insurance company as a compromise.

The former Ambassador recently pleaded guilty to hit-run driving in Hanover Circuit Court and was fined \$250 and his driving license revoked. It was brought out that Dr. Dodd had already paid approximately \$2,500 for hospital, medical and doctor's expenses for the

girl who remained unconscious in a Richmond hospital for several weeks, suffering from a cerebral concussion, skull fracture and lacerations.



# \$25,000 Damage Suit Against Ex-Ambassador Dismissed

FREDERICKSBURG, Va., May 18 — (ANP) — Judge F. W. Coleman last Saturday dismissed the \$25,000 damage suit pending against Dr. William E. Dodd, former ambassador to Germany. The suit was brought in behalf of Glois Grimes, colored child, injured last December when struck by Dr. Dodd's auto. Payment of \$3,500 for the benefit of the child was made by Dr. Dodd's insurance company as a compromise.

**DODD RESTORED TO CITIZENSHIP**

**SAY EX-ENVOY WAS NOT GIVEN JUST PENALTY**

RICHMOND, Va. — Governor James Price of Virginia late Wednesday decided to restore the citizenship of the former U.S. Ambassador to Germany, William E. Dodd, Sr., when leaving of his serious illness.

Mr. Dodd, who is ill in a New York hospital following a serious operation, had his citizenship taken from him when he was convicted of running down 4-year-old Glois Grimes last December and fleeing the scene of the accident. Since the charge for which he was convicted and fined is a felony in Virginia, it automatically carried with it the loss of citizenship.

**Nation-Wide Interest**  
The case attracted nation-wide interest, and it was believed that publicity connected with it smacked of politics in Virginia, since Dodd was a New Dealer and his son had run for Congress in the Eighth District of Virginia against Representative Howard Smith, a colleague of the powerful Senators Glass and Byrd, New Deal opponents.

**Think Color Of Child And Not Illness Cause For Hit-Run Attempt**

NEW YORK, July 21 — William E. Dodd, former Ambassador to Germany, who was convicted and fined on the charge of running down little Glois Grimes in Richmond, Va., last March was notified this week that his citizenship had been restored. Dodd, recuperating in Mount Sinai hospital, here, was fined \$250 and court costs; loss of citizenship went with the conviction automatically. When the case came up, lawyers for the Ambassador claimed he was ill at the time, and that the illness had played a part in what happened. The claim did not hold in court at the time, however, and Dodd was convicted on the charge that he fled the scene after the accident.

## Governor Acts

Since his conviction, Dodd entered the hospital for treatment and although his physician, Dr. Herbert Pollack, says he is o.k., now

Gov. Price of Virginia has decided that he was very ill at the time of the accident and his citizenship should be restored for that reason. The claim is that the ambassador's condition at the time of the accident substantiated the claim that he was not himself when the accident occurred.

Shortly after the accident, Mr. Dodd allegedly sent a check for \$25 to the child's parents, but that sum was returned. His claim was unavoidable accident and that he did not see the youngster either before, during or after the accident.

When citizens of Harlem learned that Dodd had been notified by hospital officials of the lifting of the citizenship ban, they immediately started action. They felt that a year or two of such penalty was due to Ambassador Dodd at least. Letters were written to Washington and to the governor at Richmond in protest.

**WILLIAM E. DODD IS RESTORED TO CITIZENSHIP**

WASHINGTON, July 20 — (ANP) — Dr. William E. Dodd, former Ambassador to Germany, was restored to citizenship by Governor James H. Price of Virginia last week, which he lost last March in being convicted of a hit-and-run driving charge and fined \$250 and costs. The victim was a little colored girl, Glois Grimes, and the accident occurred near Hanover Court House.

Governor Price was informed the former Ambassador's illness apparently substantiated statements at the trial that he was sick and not entirely responsible at the time of the accident to the child. Dr. Dodd is seriously ill in New York City.

**Post With WPA Is Liquidated**



T. C. WALKER

**Delay Assault Case Against Rev. Skinner**

**Still Confined In Jail; Wife In Roanoke**

HOPEWELL, Va. — A preliminary hearing for the Rev. Mills G. Skinner, founder and pastor of Friendship Baptist Church here, on a charge of assaulting his wife, Mrs. Helen Ethelred Skinner, has been postponed until such time as Mrs. Skinner is able to appear in court, it was learned last week.

Meanwhile Rev. Mr. Skinner remained in Prince George County jail in default of \$1,000 bond while attorneys representing his wife made additional preparations to press the charge against him. The accused minister was arrested on Monday of last week by Petersburg police and the sheriff of Prince George County at his home on Mars Street, in Petersburg.

Mrs. Skinner, a native of Roanoke and daughter of the Rev. E. E. Ricks, prominent pastor of Roanoke's Mt. Zion Baptist Church and a recent "Wings Over Jordan" program speaker, is now under the care of a physician in Roanoke. She is a graduate of Virginia State College and at the time of her marriage a few years ago she was a teacher in the Carter G. Woodson High School in Hopewell.

Rev. Mr. Skinner is a former student of Virginia Union University.



# William Dodd Fined \$250 In Car Accident

HANOVER COURTHOUSE, Va.—(ANP)—On a plea of guilty to a charge of hit-and-run driving resulting in serious injury to a small colored child, Dr. William E. Dodd, former ambassador to Germany and a former faculty member of the University of Chicago, was fined \$250 and costs here on Thursday in circuit court.

## Former Ambassador To Germany Fined \$250 As Being Hit And Run Driver Who Injured Negro Child

The girl, Gloris Grimes, 5, was struck by the Dodd car near this city last December. Less than a month later, the screams of the child's older sister attracted passing motorists. One, a prominent white woman, had witnessed the accident and immediately notified county authorities. The Dodd car was identified later by the license plates whose number had been noted by the victim's sister.

When first arraigned, Dr. Dodd pleaded not guilty, said he did not know his car had struck the child, but Thursday when the case was called for trial, he changed his plea to guilty. In passing judgment, Judge Frederick W. Coleman said he imposed no jail sentence because of the poor health of the defendant who is 69.

Lightness of the fine was due to the court's consideration of the fact that Dr. Dodd had paid about \$1,100 in hospital and doctor bills for little Blois. Since hit-run driving in Virginia is a felony, Dr. Dodd will be deprived of his right to vote. Also, his right to drive an auto was automatically revoked for one year. However, it lies within discretion of the governor to restore Dodd's citizenship.

RICHMOND, Va.—William E. Dodd, 69, former United States Ambassador to Germany, changed his original plea to guilty to the recent hit-and-run accident that half-paralyzed a 4-year-old Negro girl, and was fined \$250 and costs, Thursday. Dr. Dodd, however, still faces a \$25,000 damage suit filed by the girl's father.

Sentence was passed by Circuit Judge Frederick W. Coleman who, while doing so, said he would impose no jail term because of Dr. Dodd's alleged poor health. There is a maximum penalty of five years in prison and \$5,000 fine for hit-and-run driving in this state. When the child was hurt, Dodd, from his home, mailed \$25 which the child's parents' lawyer returned. A subpoena was issued for the former Ambassador and he was indicted on the charge, January 16. His conviction deprives him of the right of suffrage and revokes his driver's license under Virginia law.

The former envoy's attorney, in pleading for the defense, stated that Dodd "has assumed the payment of the bills. He has already paid out \$1,131 in hospital and nurses bills alone, and he owes the hospital \$534 more at this time. He also owes Dr. Coleman a bill of \$500."

The defense, thereupon, produced what was said to be evidence showing that Dr. Dodd had agreed to pay all medical expenses further arising out of the injuries suffered by the girl, Gloris Grimes, who is one of eight children living in a small two-room shack near the courthouse that was packed, Thursday, with Negro and white spectators.

The defendant was very nervous and wanted to protest that, "I did stop," but was restrained from further talk by his lawyer who, with defense witnesses, depicted Dodd as

a sufferer of hardened arteries, laryngitis and a chronic nervous condition which would, they said, prevent him from reacting normally in a crisis. The 4-year-old girl was said by Dr. C. C. Coleman to have received a severe brain injury, lacerations and contusions about the head and was at first paralyzed on the left side. The physician also testified he could not say if the girl would be permanently affected.

The child's parents, Mr. and Mrs. James Grimes, who live with Gloria's grandmother and with the seven other children, said they were satisfied with the outcome. The grandmother, Mrs. Anna Grimes, later declared of the former Ambassador: "He was punished enough. He's an old man and pretty sick and I reckon it wouldn't do the little girl any good to put him in jail. Sides, he's paid all the

## Girl Knocked Down By Store Asst. Manager

Lynchburgers  
Threaten Boycott;  
Girl's Jaw Broken

(Special to Journal and Guide)

LYNCHBURG, Va.—Preliminary hearing on assault charges lodged against the white assistant manager of a Charles Department Store as

the result of the alleged beating of a sixteen year old girl, Miss Louise Kidd, was continued until March 16, when called in Municipal court Monday morning. The store employee is free on bail.

The colored community here was greatly stirred last week when it was learned that Miss Kidd had been knocked down by A. W. Stanton, white assistant manager, allegedly because she insisted on having her change after the clerk failed to find an article which had been asked for. This occurred Saturday, February 25. It was later discovered that the girl's jaw was fractured.

Several local organizations have petitioned the New York offices of the Charles Stores asking that Stanton be dismissed from the local store. No response has been heard from the Charles Store headquarters. A boycott has been threatened. KICKED IN STREET

Eyewitnesses told reporters that the assistant manager struck the young girl on her right jaw, knocked her down, dragged her to the door and kicked her out into the street. It was learned that Stanton had broken a showcase glass while in the act of hitting Miss Kidd.

LOST CONSCIOUSNESS  
The girl did not remember anything for several minutes after she was hit, she told a reporter. When she regained consciousness she was in the street several feet from the store, surrounded by a crowd of people.

She was struck, she said, just as she and a girl friend started to leave the store.

Miss Kidd told a reporter that she went into Charles Department Store around 2 p. m., February 25 to purchase some anklets. A friend whom she had known from her childhood gave her ten cents to pay for the anklets after which he left the store.

Miss Kidd told the clerk she wanted white socks size 10½, but the woman clerk couldn't find any among her assortment. The girl then asked the clerk to return her money, but she said she couldn't return it because she had rung up the amount on the cash register. Miss Kidd told her she thought one would not deposit the money before the purchase had been made. The clerk, however, insisted that she would have to buy something else as the money couldn't be returned. The girl reported the matter, to

the assistant manager, who after the clerk had whispered something in his ears, told the girl she couldn't get her money but that she would have to make another selection. Miss Kidd still insisted on getting her money and words were exchanged between the two.

Highly nervous and physically unable to walk home or to wait for the bus, Miss Kidd was carried home in a taxi. Miss Kidd's mother, on the advice of friends, reported the case to Lawyer David H. Kizer who in company with Miss Kidd went to Charles Store to identify Miss Kidd's assailant.

The matter was then reported to the police and a warrant sworn out for Mr. Stanton. JAW FRACTURED

Meantime Miss Kidd went to Dr. W. T. Pugh and another physician, who took an X-ray imprint of her bruised jaw. Both physicians, it was reported, thought that the girl's jaw was fractured. Miss Kidd was later carried to the Lynchburg Hospital where it was revealed that her right jaw was fractured. In addition she was suffering from multiple bruises about her body.

The Rev. W. F. Elliott, pastor of the Court Street Baptist Church in the company with Dr. J. I. Ward spent some time last week investigating the case. He reported the case to the joint session of the Baptist Pastors Conference of Lynchburg and Vicinity and the Interdenominational Ministers Alliance of Lynchburg and Vicinity at Court Street Baptist Church last Monday.

The group took immediate action by adopting a resolution which was sent by night letter to the New York office of Charles Stores Company condemning the assault upon Miss Kidd by the assistant manager of Lynchburg and requesting his dismissal at once from the Lynchburg store.

THREATEN BOYCOTT  
The case was also reported at the regular meeting of the Chi Beta Sigma Chapter of the Phi Beta Sigma Fraternity Thursday night of last week and that organization adopted unanimously a resolution protecting the assault on Miss Kidd and demanding that the assistant manager "be dismissed immediately from your employment. Unless such action is taken, a boycott of 10,000 Negroes will be organized against your store."

The local chapter of the NAACP and other organizations have also taken similar action.



## JUSTICE

**ONE OF THE** bigger surprises of the week was enacted in a Virginia court last week when Dr. William E. Dodd, former United States Ambassador to Germany, pleaded guilty to a charge of being the hit and run driver who partially paralyzed a four-year-old Negro child. Because of ill health Dodd was fined \$250 and costs instead of being sentenced to jail, but the conviction automatically deprives him of the right of suffrage and revokes his driver's license under Virginia law.

The surprise is not so much that Dodd was fined or convicted, because he pleaded guilty, but in the remarks of the prosecution which told the court that the fact that the defendant was a former high government official and well known should not excuse him from prosecution for violation of the laws of Virginia.

We hope that other prosecutors in the South will take this same attitude when it comes to cases involving Negroes and whites.

## Is Deprived Of Citizenship

### Court Considers Fact Dodd Had Paid \$1,100 In Hospital Bills

HANOVER, NORTHERN, Va., Mar. (ANP)—On a plea of guilty to a charge of hit-and-run driving, resulting in serious injury to a small colored child, Dr. William E. Dodd, former ambassador to Germany and a former faculty member of the University of Chicago, was fined \$250 and costs here last Thursday, in circuit court.

The girl, Gloria Grimes, 5, was struck by the Dodd car near this city last December. Left helpless in the highway, the screams of the child's eldest sister attracted passing motorists.

One, a prominent white woman, had witnessed the event and immediately notified county authorities.

The Dodd car was identified later by the license plates whose number had been noted by the victim's sister.

#### PLEADED NOT GUILTY

When first arraigned, Dr. Dodd pleaded not guilty, said he did not know his car had struck the child, but Thursday when the case was called for trial, he changed his plea to guilty. In passing judgment Judge Frederick W. Coleman said he imposed no jail sentence because of

the poor health of the defendant who is 69.

Lightness of the fine was due to court's consideration of the fact that Dr. Dodd had paid about \$1,100 in hospital and doctor bills for Gloria. Since hit-run driving in Virginia is a felony, Dr. Dodd will be deprived of his right to vote. Also his right to drive an auto was automatically revoked for one year. However, it lies within discretion of the governor to restore Dodd's citizenship.

## Dodd, and Virginia Justice

Twenty-one witnesses appeared at Hanover Court House in Virginia last week to testify that William E. Dodd, white, former ambassador to Germany, had run over a four-year-old child, left her lying in the road as he sped away in his automobile.

Dodd at first pleaded not guilty, but suddenly changed his mind and threw himself upon the mercy of the court. A trial jury was, therefore, abandoned and the only witnesses who were heard were those who testified to the poor state of his health.

Two physicians, for example, testified that he suffered from nervous exhaustion and hardening of the arteries. His daughter swore that since last May her mother's death has had a great effect upon her father's mental and nervous condition.

So after considering that here was a former ambassador to Germany, a wealthy man with a family and an outstanding citizen, the court fined him \$250 and let him go.

This is typical of Virginia justice. The white, the rich, the prominent, get off lightly for any crime they commit, even murder.

The black, the humble and the poor get the full extent of the law, even for the most minute infraction.

## Hitting The Numbers

for such lotteries will come within the Act.

For a long time sponsors and patrons of this nefarious penny-brassknuckles for kid gloves nickel game held to the belief that the courts and State legislatures were so welded by politics that ready outlawed "numbers" game were so welded by politics that a decisive licking on points. Here nothing enduring could come of pe- before regarded only as a misde- riodic efforts by law officers to run meanor, punishable by short jail the game underground.

terms and nominal fines the House The scions of West Virginia of Delegates encouraged by Gov- went the numbers dopesters one ernor Holt ignored a look of no-better—they made effective a sys- tem of hitting the numbers that is abruptly suspended its rules and 100 per cent proof. Nothing in re- sent to the chief executive an Act cent years has contributed more to making participation in the num- juvenile and adult depravity than bers business a felony.

Effective now in less than 90 lucrative revenue producers of or- days, the new statute fixes punish- ganized crime. Wherever it has ment at from one to five years in been allowed to take root, it has prison for the first offense, two to ten years for a second offense, plus a fine of \$1,000. Possession of State has set a constructive exam- numbers slip will be "presumptive evidence" that the law has been violated, and landlords who know- ingly permit premises to be used

## Reasons for Crime

**R**ESPONSIBILITY for criminal tendencies and activities was laid directly on the doorstep of a discriminatory social system by Dr. Frank McDonald, professor of psychology, Norfolk Division, College of William and Mary, V. P. I., in an address recently before the Optimist Club in Norfolk.

Though this is not by any means a new perspective, we rejoice that it has been presented to a fairly representative group of members of the dominant race by a person who, because of his academic connections, might qualify as something of an authority on the subject.

The speaker dismissed all outmoded theories which attributed crime to evil spirits in the criminal, the physical make-up of the criminal and the criminal's mentality then proceeded to point out the real causes of high crime incidence among colored people.

Listed among the disadvantages which contribute to crime were: lack of parks, playgrounds, and other character building agencies and an attitude on the part of society that makes an outcast out of a person who is poor or who has made a simple mistake or committed a slight misdeed.

Dr. McDonald blamed society for refusing to give a sympathetic ear to the first offender or the poverty stricken, underprivileged individual and by so doing driving him to seek companionship among the enemies of society.

The speaker might well have posed this question at the end of his talk. Which is more expensive to society, playgrounds, parks, libraries, community centers, wage and salary equality, and decent housing OR slums, jails, crime, street loafing, property destruction, low living standards, pay differentials and all of the expensive by-products of these evils?



**STUDIES LAW IN JAIL, WINS  
FREEDOM**

*By L. B. Harris for Anp)* Seattle, Wash., July 25 (By L. B. Harris for Anp) James J. Smiley was arrested and charged with grand larceny, was convicted on October 7, 1936, and on October 17 was sentenced to 15 years in Walla Walla prison. After serving two years, he began reading books on law, in his spare time at the prison. He found that he had been "railroaded" to prison without jury trial.

Judge Kazis Kay acted as judge and jury. Smiley sent for a lawyer and applied for a writ of Habeas Corpus, which was granted. He was released, and was promptly re-arrested for the same offense and brought to Seattle and re-tried.

This time the case was tried by Superior Court Judge R. Meakin, who was very fair in his decision. Smiley pleaded his own case, eloquently and effectively.

The jury deliberated one hour and brought in a verdict of not guilty, and Smiley was released—a free man.



CRIME- 1939

WEST VIRGINIA

# WROTE 'DEATH LETTER', JAILED!

*Carrier 10-14-39 Pittsburgh, Pa.*  
Former School Teacher, Who Threatened to Shoot President of West Virginia State College, Jailed By G-Men.

LEXINGTON, W. Va., Oct. 12. (ANP)

—Florence Beverly Hall, 31, was jailed last week by the Federal Bureau of Investigation here on a charge that she wrote a letter to President John Davis of West Virginia State college threatening to shoot him unless he gave her a diploma or a thousand dollars cash.

Miss Hall taught in Lylburn high school at Lexington until officials learned she had no degree. She returned to college for a diploma where the controversy over academic credits arose. She will be arraigned in the district court at Charleston, November 1 to answer the extortion charge.